

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

Emergency Rulemaking

■ SEXUAL ABUSE

The DEPARTMENT OF HUMAN SERVICES adopted an emergency amendment to Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies (59 IAC 50; 39 Ill Reg 13271), effective 9/18/15 for a maximum of 150 days. An identical proposed amendment appears in this week's *Illinois Register* at 39 Ill Reg 13192. The amendment implements Public Act 99-323 by expanding the definition of sexual abuse to include sending, showing, or posting of sexually explicit images to an individual via computer, cell phone, e-mail, portable electronic devices, or other media, or posting of sexually explicit images of an individual online or elsewhere, regardless of whether there is

contact with the individual. The rule also defines sexually explicit images; clarifies that allowing individuals to voluntarily view images of a sexual nature or to read material containing sexual content does not constitute sexual abuse unless the individual's guardian has prohibited these actions; and excludes sex education

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materials from the definition of sexually explicit images. Agencies and facilities that provide mental health or developmental disability services are affected by this emergency rule.

Questions/requests for copies/comments on the proposed rulemaking through 11/16/15: Tracie Drew, at the DHS address and phone number at right.

New Rules

■ AABD BENEFITS

The DEPARTMENT OF HUMAN SERVICES adopted amendments to Aid to the Aged, Blind or Disabled (89 IAC 113; 39 Ill Reg 5969), effective 9/21/15, implementing a \$12 per month increase in personal allowances and rates paid for sheltered, personal or nursing care to match the 2015 increase in Social Security and Supplemental Security Income benefits. The new grant adjustment allowance for persons not in long-term group care is \$554.90 per month; the new sheltered, personal and nursing care rates range from \$1,233 to \$1,371 per month depending on the client's county of resident and their level of care.

Questions/requests for copies: Tracie Drew, DHS, 100 S. Grand Ave. East, 3rd Fl., Springfield IL 62762, 217/785-9772.

NEW RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.

PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.

PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.

RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

Proposed Rulemakings

SNAP ELIGIBILITY

The DEPARTMENT OF HUMAN SERVICES proposed amendments to Supplemental Nutrition Assistance Program (SNAP) (89 IAC 121; 39 Ill Reg 13195) expanding categorical eligibility to all households whose gross income is at or below 165% of the federal poverty level (currently, 130% of FPL). The rulemaking also clarifies that the income eligibility limit for households with elderly, blind or disabled persons remains at 200% of FPL.

Questions/requests for copies/comments through 11/16/15: Tracie Drew, at the DHS address and phone number on page 1.

■ SCHOOLS

The STATE BOARD OF EDUCATION proposed an amendment to Programs for the Preparation of Principals in Illinois (23 IAC 30; 39 Ill Reg 13210) implementing Public Act 99-58. The Act and the

rulemaking remove a requirement (formerly in the School Code) that non-profit entities offering principal preparation programs obtain approval from the Board of Higher Education in addition to SBE approval.

SBE also proposed amendments to Health/Life Safety Code for Public Schools (23 IAC 180; 39 Ill Reg 13214) requiring school districts and charter schools outside the City of Chicago to apply the 2015 International Building Code (IBC) to any projects with a design contract executed on or after 7/1/16. An exception from the IBC is made with regard to storm shelters, and stadium press boxes that are only one level and not more than 500 square feet are exempted from the Illinois Accessibility Code. The rulemaking also clarifies which building codes (by date) apply to existing facilities and make changes concerning the plan review and certificate of completion/occupancy process.

Finally, SBE proposed amendments to Reading Improvement Program (23 IAC 260; 39 Ill Reg 13246) and Providers of Supplemental Education Services (23 IAC 675; 39 Ill Reg 13254) that update nationally recognized standards for educational and psychological testing, update a cross-reference to the School Code, and eliminate references to assessments that are no longer used.

Questions/requests for copies/comments on the 4 SBE rulemakings through 11/16/15: Shelley Helton, SBE, 100 N. First St., S-493, Springfield IL 62777-0001, 217/782-5270, rules@isbe.net

PPB RULE WITHDRAWAL

The PROCUREMENT POLICY BOARD has withdrawn proposed amendments to Freedom of Information (2 IAC 3001; 39 Ill Reg 12730) that were published in the 9/18/15 *Illinois Register*.

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the Committee's October 13, 2015 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

DEPT OF NATURAL RESOURCES

Youth Hunting Seasons (17 IAC 685; 39 Ill Reg 10374) proposed 7/24/15

White-Tailed Deer Hunting By Use of Bow and Arrow (17 IAC 670; 39 Ill Reg 8873) proposed 7/6/15

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DEPT OF HUMAN SERVICES

Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies (59 IAC 50; 39 Ill Reg 9697) proposed 7/17/15

DEPT OF PUBLIC HEALTH

Certification of Environmental Laboratories (77 IAC 465;39 Ill Reg 10685) proposed 8/7/15

ILLINOIS LIQUOR CONTROL COMMISSION

Beverage Alcohol Sellers and Servers Education and Training (BASSET) (77 IAC 3500; 39 Ill Reg 7789) proposed 6/5/15

ILLINOIS HUMAN RIGHTS COMMISSION

Joint Rules of the Department of Human Rights and the Human Rights Commission: Rules on Pregnancy Discrimination and Accommodation in Employment (56 IAC 5215; 39 Ill Reg 9911) proposed 7/17/15

Joint Committee on Administrative Rules

Senator Pamela Althoff

Representative Greg Harris

Senator Bill Brady

Representative Lou Lang

Senator Karen McConnaughay

Representative David Leitch

Senator Don Harmon

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**Vicki Thomas
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